



JOHN ENGEN

OFFICE OF THE MAYOR

435 RYMAN MISSOULA, MONTANA 59802-4297

EXHIBIT NO. 1DATE 3-13-07BILL NO. HB 415

March 13, 2007

Chair Kim Gillan  
and Members of the Senate Local Government Committee  
Montana Senate  
PO Box 200400  
Helena, MT 59620-0400

Sent via email and FAX to (406) 444-4875

Madam Chair and Honorable Members of the Senate Local Government Committee:

The City of Missoula wishes to go on record in support of House Bill 415, sponsored by Representative Reinhart. Passage of HB415 will allow local governments to once again require park land dedication, or payment in lieu, for minor subdivisions.

Currently, major subdivisions (more than 5 lots) must meet this requirement, and in the past, minor subdivisions were required to provide parkland or payment in lieu. Missoula, like many other Montana communities, faces steady growth in areas surrounding the urban area. Over the years many of these areas have been divided into parcels smaller than one dwelling per five acres. Often these smaller "sub urban" parcels are sold and then subdivided further into five or fewer parcels, which has resulted in the urbanization of larger areas over the course of 10 to 20 years. Here's the problem. Most of these subdivisions are one to five lots, and as a consequence, park land dedications or payment in lieu funds were not required resulting in and whole urban neighborhoods without parks, or inadequate parks.

A good current example is the River Road neighborhood in Missoula. The area has steadily changed (over 40 years) from an agricultural area to an urban neighborhood. Until very recently this area had no parks. At the insistence of the neighborhood, the City and the Housing Authority teamed up to purchase a small (slightly larger than one acre) parcel at a very high price for parkland. This solution was inadequate because of the small size of the parcel, limited access to the area, and the expense of the property, but it was one of the few parcels left available for park land in the area, and as such, the best the City could do at the time.

State law requires that a parks plan describing the general need for, and location of new parks, and the use of payment of in lieu of funds be in place prior to the imposition of payment in lieu assessments, and thereby ensuring that payments are utilized for parks in the area of the subdivision that was assessed.

Passage of HB415 would provide local governments with the ability to acquire either property, or the funds to acquire property, for parks within these growing suburban style neighborhoods. It also assures that entire urban neighborhoods are not developed without any parks.

Thank you for your consideration.

Sincerely,

John Engen, Mayor

cc: The Missoula Delegation  
Alec Hanson, Director, Montana League of Cities and Towns